

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. J. RES. 36

Proposing an amendment to the Constitution of the United States relating  
to the election of the President and Vice President.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. ORTON introduced the following joint resolution; which was referred to the  
Committee on the Judiciary

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## JOINT RESOLUTION

Proposing an amendment to the Constitution of the United  
States relating to the election of the President and Vice  
President.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled*  
3       *(two-thirds of each House concurring therein), That the fol-*  
4       *lowing article is proposed as an amendment to the Con-*  
5       *stitution of the United States, which shall be valid to all*  
6       *intents and purposes as part of the Constitution if ratified*  
7       *by the legislatures of three-fourths of the several States*

1 within seven years after its submission to the States for  
2 ratification:

3 “ARTICLE —

4 “SECTION 1. The people of the several States and the  
5 District constituting the seat of government of the United  
6 States shall elect the President and Vice President. Each  
7 citizen eligible shall cast a single vote for two persons who  
8 shall have consented to the joining of their names as can-  
9 didates for the offices of the President and Vice President.  
10 No candidate shall consent to the joinder of his name with  
11 that of more than one other person.

12 “SECTION 2. The citizens eligible to vote for election  
13 of President and Vice President in each State shall have  
14 the qualifications requisite for voters of the most numer-  
15 ous branch of the State legislature, except that for voters  
16 for President and Vice President, the legislature of any  
17 State may prescribe less restrictive residence qualifications  
18 and for voters for President and Vice President the Con-  
19 gress may establish uniform residence qualifications.

20 “SECTION 3. The pair of persons having the greatest  
21 number of votes for President and Vice President shall  
22 be elected.

23 “SECTION 4. The times, places, and manner of hold-  
24 ing such elections and entitlement to inclusion on the bal-  
25 lot shall be prescribed in each State by the legislature

1 thereof; but the Congress may at any time by law make  
2 or alter such regulations. The days for such elections shall  
3 be determined by Congress and shall be uniform through-  
4 out the United States. The Congress shall prescribe by  
5 law the time, place, and manner in which the results of  
6 such elections shall be ascertained and declared.

7       “SECTION 5. The Congress may by law provide for  
8 the case of the death or withdrawal of any candidate for  
9 President or Vice President before a President and Vice  
10 President have been elected, and for the case of the death  
11 of both the President-elect and Vice President-elect.

12       “SECTION 6. This article shall take effect one year  
13 after the 21st day of January following ratification.”.

